

### **REMARKS**

Claims 1, 5-21, 25-31, and 35-59 have been examined and claims 1, 5-21, 25-31, and 35-59 stand rejected. By virtue of this response, claims 1, 21, and 31 have been amended, and no claims have been canceled, or added. Therefore, claims 1, 5-21, 25-31, and 35-59 are presently pending. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

#### **Claim Rejections Under 35 USC §102**

Claims 1, 5-8, 11-12, 13-14, 21, 25-28, 31, 35-38, 41-44, and 51-59 stand rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Publication No. 2003/0216930 issued to Carl A. Dunham et al., (hereinafter “Dunham”).

Applicants traverse the rejection and submit that Dunham at least fails to disclose or suggest “generating a first set of search results in response to receiving the first search term from the user; and dynamically generating a plurality of candidate search terms related to said first search term in accordance with relevancy scores calculated based in part on the sales information and click information related to the first search term for providing to the user, wherein said plurality of candidate search terms comprise a plurality of potential alternative search terms, and are at least organized in accordance with brands, wherein the brands related to the first search term are determined based upon the sales information, wherein said plurality of potential alternative search terms are for generating a second set of search results in response to a selection, by the user, of at least one of said plurality of potential alternative search terms.” (Emphasis added).

Applicants point out that “search terms,” as defined in the specification of the present application, refer to the keywords used to perform a search to generate search results. For support, for example, paragraph [0017] of the application as filed recites “[t]he search is typically triggered by the users who will input one or more search terms, e.g., ‘laptop computer’, ‘DVD’, ‘gas grill’ and so on.” (Paragraph [0017] of the application as filed.) (Emphasis added.) Thus, “candidate search terms related to said first search term . . . wherein said plurality of candidate search terms

comprise a plurality of potential alternative search terms,” is a list of related search terms that may be used as an alternative to the first search term to generate other search results. (*See, e.g.*, paragraph [0024] of the application as filed.)

In contrast, Dunham merely describes generating a “search results list” rather than “candidate search terms,” as required by claim 1. (Emphasis added.) Dunham discloses a “search results list,” which represents Web page results of a search performed using a search term. Specifically, Dunham recites “[t]he search result set is a list of hypertext links to data, such as Web pages, that include information relevant to the submitted search terms.” (Dunham, paragraph [0035].) (Emphasis added.)

Thus, Dunham fails to disclose or suggest “candidate search terms . . . wherein said plurality of candidate search terms comprise a plurality of potential alternative search terms... wherein said plurality of potential alternative search terms are for generating a second set of search results in response to a selection, by the user, of at least one of said plurality of potential alternative search terms,” as required by claim 1. (Emphasis added.)

Additionally, Dunham further fails to disclose or suggest “wherein said plurality of candidate search terms comprise a plurality of potential alternative search terms, and are at least organized in accordance with brands,” as recited by claim 1. (Emphasis added.) The Examiner cites to paragraph 54, lines 2-3 and paragraph 64 of Dunham for disclosing the recited features of claim 1. However, the cited portions of Dunham merely describe a method for arranging search results within a list to maximize revenue generation from a search query. As discussed above, the “search results list” of Dunham fails to disclose “candidate search terms,” as recited by claim 1.

However, even assuming, for the sake of argument, that the “search results list” discloses “candidate search terms,” Dunham fails to disclose that the search results “are at least organized in accordance with brands,” as required by claim 1. (Emphasis added.) Accordingly, for at least the foregoing reasons, Applicants request the rejection be withdrawn and the claim allowed.

Claims 21 and 31, as amended, include features similar to claim 1 and are allowable over Dunham for at least similar reasons. Accordingly, Applicants request the rejections for claims 1, 21, and 31 (and all claims depending therefrom) be withdrawn and the claims allowed.

**Claim Rejections Under 35 USC §103**

Claims 9-10, 29-30, and 39-40 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Dunham in view of U.S. Publication No. 2003/0078915 issued to Surajit Chaudhuri et al., (hereinafter “Chaudhuri”).

For at least the foregoing reasons, claims 9-10, 29-30, and 39-40, each of which is dependent from either base claim 1, 21, or 31, are allowable over Dunham in view of Chaudhuri. Accordingly, Applicants request the rejections be withdrawn, and the claims allowed.

Claims 19-20 and 49-50 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Dunham in view of U.S. Patent No. 5,987,460 issued to Niwa et al., (hereinafter “Niwa”).

For at least the foregoing reasons, claims 19-20 and 49-50, each of which is dependent from either base claim 21 or 31, are allowable over Dunham in view of Niwa. Accordingly, Applicants request the rejections be withdrawn, and the claims allowed.

C. Claims 15-18 and 45-48 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Dunham in view of U.S. Patent No. 6,701,314 issued to Joan Evelyn Conover et al., (hereinafter “Conover”).

For at least the foregoing reasons, claims 15-18 and 45-48, each of which is dependent from either base claim 1 or 31, are allowable over Dunham in view of Conover. Accordingly, Applicants request the rejections be withdrawn, and the claims allowed.

### **CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **Docket No. 324212003700**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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